

EXHIBIT 1

THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <u>et al.</u> ,)	Case No. 01-1139 (JKF)
)	(Jointly Administered)
)	
Debtors.)	Re: Docket No. 17649
)	

**STIPULATION WITHDRAWING DEBTORS' MOTION TO STRIKE UNTIMELY
EXPERT MATERIALS AND OUTLINING AGREEMENT THEREON**

1. On December 7, 2007, the FCR filed the Declaration of P.J. Eric Stallard ("the Stallard Declaration") as an exhibit to the FCR's motion to preclude testimony of Debtors' experts (Docket #17584).

2. On December 19, 2007, the Debtors filed their Motion to Strike Untimely Expert Materials (the "Motion to Strike") (Docket # 17649) wherein the Debtors sought to strike the Stallard Declaration.

3. Thereafter, counsel for the Debtors and the FCR further met and conferred with respect to the matters set forth in the Motion to Strike and based on those discussions, have reached the agreement outlined in this Stipulation.

4. The Debtors agree hereby to withdraw the Motion to Strike and the FCR and any other interested parties are relieved of any obligation to file a response or objection to the Motion to Strike.

5. The Stallard Declaration can be used by the FCR and ACC for *Daubert* purposes only.

6. The Stallard Declaration and the substance of it, including all the work reflected therein, is not usable for any purpose at trial in the estimation proceeding except that Stallard can

be asked whether he believes the opinions in his expert report, regarding the statistical sampling methods used by Dr. Florence to yield sample sizes, apply to the new sample sizes provided in Dr. Florence's September 25, 2007 report and explain his answer by reference to his prior work. And, this relates solely to the opinions set forth in paragraphs 20-27 of the Stallard Declaration, not the first 19 paragraphs of the Declaration relating to the work of Dr. Anderson.

7. The Debtors may file a responsive declaration to the Stallard Declaration from Dr. Anderson for *Daubert* purposes on or before January 3, 2008 at 5:00 p.m.

December 19, 2007

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
W. R. GRACE & CO., <u>et al.</u> , ¹)	Case No. 01-1139 (JKF)
Debtors.)	Jointly Administered

AFFIDAVIT OF SERVICE


STATE OF DELAWARE)
COUNTY OF NEW CASTLE)SS

Patricia E. Cuniff, being duly sworn according to law, deposes and says that she is employed by the law firm of Pachulski Stang Ziehl & Jones LLP, co-counsel for the Debtors, in the above-captioned action, and that on the 20th day of December 2007 she caused a copy of the following document(s) to be served upon the attached service list(s) in the manner indicated:

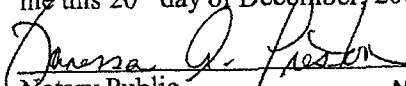
¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc.), E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

**STIPULATION WITHDRAWING DEBTORS' MOTION TO STRIKE
UNTIMELY EXPERT MATERIALS AND OUTLINING AGREEMENT
THEREON.**

Dated: December 20, 2007


Patricia E. Cuniff

Sworn to and subscribed before
me this 20th day of December, 2007

 **VANESSA A. PRESTON**
Notary Public
My Commission Expires: 03/21/08 **Notary Public - State of Delaware**
My Comm. Expires March 21, 2008

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